

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert G. Korneluk et al.	Art Unit:	1636
Serial No.:	09/654,743	Examiner:	S. Kaushal
Filed:	September 1, 2000	Customer No.:	21559
Title:	MAMMALIAN IAP GENE FAMILY, PRIMERS, PROBES AND DETECTION METHODS		

Commissioner for Patents
Washington, D.C. 20231

REPLY TO RESTRICTION REQUIREMENT

In reply to the Restriction Requirement that was mailed in connection with the above-captioned case on January 6, 2003, Applicants elect the invention of Group VII, claim 50, which recites a substantially pure nucleic acid encoding a baculovirus inhibitor of apoptosis repeat (BIR) domain. This election is made without traverse.

With respect to the Examiner's requirement that applicants further restrict the invention to a single BIR domain, applicants elect human BIR III (SEQ ID NO:47). This election is respectfully traversed.

It would impose no undue burden on the Examiner to search six human and mouse nucleic acids encoding XIAP BIR domains (SEQ ID NOs:45, 46, 47, 49, 50, and 51)

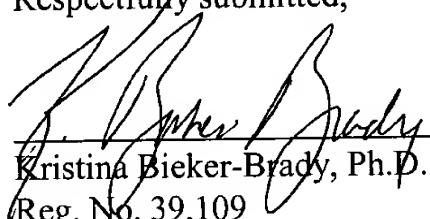
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given that they can all be searched using the full length XIAP sequence as the reference sequence. As a result, all searches would be overlapping. Applicants request that the Examiner reconsider this restriction requirement.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: February 6, 2003


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